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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/697,321

10/31/2003

Haruo Yoshida

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EXAMINER

LE, TOAN M


ART UNIT

PAPER NUMBER

2863

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/697,321	Applicant(s) YOSHIDA ET AL.	
	Examiner Toan M Le	Art Unit 2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 26-46 and 61 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 46 and 61 is/are allowed.
- 6) ☒ Claim(s) 1, 7 and 26 is/are rejected.
- 7) ☒ Claim(s) 2-6, 8-11 and 27-45 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by “Far-End calibrating and Transfer Device and Method”, Sun Weiping et al. (referred hereafter Sun Weiping et al.).

Referring to claim 1, Sun Weiping et al. disclose a measuring-instrument remote-calibration system for remotely calibrating a measuring instrument, comprising:

converting means for converting, a physical standard used as a measuring reference into a transmission signal and for transmitting the signal through a first communication medium (page 3, lines 15-19; page 6, lines 5-14 and lines 21-31; page 8, lines 5-8 (a translated version)); and

calibrating means for receiving and restoring the transmission signal to the measuring reference, and for performing calibration on the measuring instrument based on the measuring reference (page 3, lines 19-24; page 6, lines 15-20; page 8, lines 8-23).

Referring to claim 7, Sun Weiping et al. disclose a measuring-instrument remote-calibration system for remotely calibrating a measuring instrument, wherein:

the converting means comprises a converting unit and a communication unit located at a standard authority (page 6, lines 5-14); and

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the calibrating means comprises a reception unit and a calibration unit located at a remote location (page 6, lines 15-20; page 3, lines 19-27).

As to claim 26, Sun Weiping et al. disclose a measuring instrument remote calibration method (Abstract) comprising:

converting a physical standard used as a measuring reference into a transmission signal (page 3, lines 15-19; page 6, lines 5-14 and lines 21-31; page 8, lines 5-8);

transmitting the transmission signal by a communication means (page 3, lines 15-19; page 6, lines 5-14 and lines 21-31; page 8, lines 5-8);

receiving the transmission signal; restoring the measuring reference from the transmission signal (page 3, lines 19-24; page 6, lines 15-20; page 8, lines 8-23); and

performing calibration based on the measuring reference (page 3, lines 19-24; page 6, lines 15-20; page 8, lines 8-23).

Allowable Subject Matter

Claims 2-6, 8-11 and 27-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The reason for allowance of the claims 2-6, 8-11, 27-45 is the inclusion of providing certification of the calibration by a standard authority in accordance with the results of precise measurements involving uncertainty evaluation based on the calibration to be sent to a remote location/overseas via first and second communication media including a remote calibrating network for mutually monitoring identical standards retained by a plurality of authorities linked

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by the remote calibrating network or via satellite wherein the physical standard is related to frequency information such as a Josephson voltage.

Allowable Subject Matter

Claims 46 and 61 are allowed.

The primary reason for allowance of the claims 46 and 61 is the inclusion of integrating an optical communication path with a physical standard generating means to transmit the physical standard to a calibrated authority at a remote place wherein the transmitted physical standard is restored in performing calibration with a transmitting certificate result from the authority to the calibrated authority.

Response to Arguments

Applicant's arguments with respect to claims 1-11, 26-46, and 61 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

“Remote Calibration of End Standards Using a Low-Coherence Tandem Interferometer With an Optical Fiber”, Hirai et al., Optics Communications 215, 2003, Pages 25-30

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan M Le whose telephone number is (571) 272-2276. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the

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organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Toan Le

December 1, 2005


MICHAEL NGHIEM
PRIMARY EXAMINER